CONFIDENTIAL ITEMS 2003 – SEPTEMBER 2026

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
163	2 August 2021	Aquatic and Leisure Centre	**Pursuant to Section 90(3)(b)** Pursuant to Section 90(2) of the Local Government Act the Council orders that all members of the public except Chief Executive Officer, Deputy Chief Executive Officer, General Manager Community Services, General Manager Infrastructure, General Manager Planning & Development, Chief Financial Officer, Manager Strategic Projects and Economic Development, Risk and Governance Officer, Project Administration Officer, Minute Secretary and Ben Koop (Alinea Group), Warren Green (Warren Green Consulting) and Sean Keenihan (Norman Waterhouse Lawyers) be excluded from attendance at the meeting for Agenda Item 18.2 Aquatic and Leisure Centre. The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business and would prejudice the commercial position of the Council. In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations. Pursuant to Section 90 (3) (b) & (d) That having considered Agenda Item 18.2 Aquatic and Leisure Centre in confidence under 90(2) and (3)(b) of	Council report, related documents and all minutes	The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.	Retained in confidence 2nd August, 2031) or such lesser period as may be determined by the Chief Executive Officer, and that this order be reviewed every 12 months.	7 Oct 25	Within 12 months	*Report, Attachments 1,2,4,5,6,8 and Minutes released on website 6 November 2026*

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#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
			the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence 2nd August, 2031) or such lesser period as may be determined by the Chief Executive Officer, and that this order be reviewed every 12 months. <u>Order History</u> 6 Sep 21 – 5 Sep 22 5 Sep 22 - 3 Oct 23 3 Oct 23 – 7 Oct 25						

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18.2. **REPORT TITLE:** **CONFIDENTIAL REPORT - AQUATIC AND LEISURE CENTRE**

DATE OF MEETING: **2 AUGUST 2021**

FILE NUMBER: **DOC/21/120996**

ATTACHMENTS:
1. DOC/21/121154 - AQUATIC CENTRE PROJECT SCOPE
2. DOC/21/121162 TERMS OF REFERENCE – COMMUNITY REFERENCE GROUP
3. DOC/21/121165 EOI GUIDING PRINCIPLES
4. DOC/21/121155 PROJECT - CHRONOLOGY
5. DOC/21/121152 PROJECT GOVERNANCE FRAMEWORK
6. DOC/21/121160 RISK MANAGEMENT ASSESSMENT
7. DOC/21/121446 PROJECT REVIEW- WARREN GREEN CONSULTING
8. DOC/21/121158 TARGET PROJECT TIMELINE

Key Contact Luke Gray, Manager Strategic Projects and Economic Development

Manager/Sponsor Marc Voortman, General Manager Planning and Development

Community Plan 2020-2035:

Community Wellbeing
CW Goal 1 Activity and movement: Physical and mental health and wellbeing is supported by opportunities to access parks and natural areas, quality open space and recreation and sporting facilities.

CW Goal 2 Health and Social Connection: Our community feels engaged, confident and proud. We work together and support each other to be healthy, thrive and achieve our potential.

EP Goal 3 Growth and opportunity: Add value to the growth of the district by exploiting new economic opportunities aligned with the key strengths of liveability, sustainability and low emissions.

Annual Business Plan:
The Annual Business Plan makes reference to the need to progress and complete the detailed design phase of the project, enabling progression through to construction.

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Long term financial plan
Council's long term financial plan references a provisional project budget of $28-30 million, with Council capital expenditure of circa $8 million, with the balance of funds being grant revenue.

This budget is in additional to the cost associated with acquiring the subject land.

Purpose:
The purpose of this report is to provide a project update on the Aquatic and Leisure Centre and seek Council support for critical decisions that enable progression of this project in order to meet project timelines and risk mitigation activities.

Summary – Key Issues:
1. The Aquatic and Leisure Centre project is a strategic intergenerational project for Council borne through a strategic decision in 2015 to replace the ageing Mountain Pool facility.

2. In order to meet the timelines of both federal and state government funding agreements, the Project requires a contemporary approach to project management, delegation and delivery.

3. In addition, this is a dynamic project environment with the continued COVID-19 circumstances and resulting pressures on services, materials and skills that are directly relevant to a project of this nature.

4. A project team of both internal and external experts have been engaged under a new project governance framework to ensure appropriate governance, legal, probity, risk matters are proactively considered and that technical and specialised fields of expertise are engaged 'up front' to ensure project success and for the mitigation of the inherent project risks.

5. A Community Reference Group comprising a range of community and user group representatives is proposed to assist with project communication and community ownership together with a contemporary approach to community updates.

6. The project scope and facility governance has been reviewed by Warren Green Consulting, with recommendations on how to proceed through the next phase of design.

7. This agenda item is focused, amongst other things, on agreeing to high level scope, not final design. It is an important distinction, the scope is listing the key elements/attributes of the facility, whereas the design is its manifestation or visual representation, often referred to as the concept.

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8. Of note, Council is not being asked at this Council meeting to endorse a design or determine the governance model but instead the process to enable staff to progress these elements to present back to Council for decision making.

9. The commencement of an Expression of Interest process to seek submissions from Aquatic and Leisure operators, will allow Council to formally capture operator interest across both the aquatic and leisure centre and broader precinct to enable decision making on the preferred model and operator.

Recommendation:

That Council:

Pursuant to Section 90(3)(b)

1. Pursuant to Section 90(2) of the Local Government Act the Council orders that all members of the public except Chief Executive Officer, Deputy Chief Executive Officer, General Manager Community Services, General Manager Infrastructure, General Manager Planning & Development, Chief Financial Officer, Manager Strategic Projects and Economic Development, Risk and Governance Officer, Minute Secretary and Ben Koop (Alinea Group), Warren Green (Warren Green Consulting) and Sean Keenihan (Norman Waterhouse Lawyers) be excluded from attendance at the meeting for Agenda Item 18.2 Aquatic and Leisure Centre.

   The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business and would prejudice the commercial position of the Council.

   In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

That Council:

1. Endorse the Project Scope for the Project, as contained in Attachment 1 to this report.

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2. Endorse the establishment of the Community Reference Group as outlined in this report and consistent with the Terms of Reference in Attachment 2.

3. Endorse the process to seek expressions of interest, (as outlined within this report and Attachment 3) from suitably qualified groups in relation to the operation of the proposed aquatic and leisure centre and investment into and potential operation of complimentary uses within the broader Regional Hub Precinct; and

4. Note that the CEO will commence the aforementioned EOI process, with responses to be presented back to Council to inform decision making on the preferred model and potential operating partner.

5. Authorises the Chief Executive Officer to:

   a. Finalise the terms and conditions of the State and Commonwealth Funding Deeds for the Project (**the Funding Deeds**) consistent with the Project Scope and do such things required to comply with the terms of those funding deeds in carrying out the Project, which may include variations as/if required to align acquittal returns;

   b. Enter into such contracts (excluding aquatic/precinct operators), secure such authorisations and approvals and do other such things required to implement the Project in accordance with the Project Scope, the terms of any relevant authorisations and approvals, the Funding Deeds and as otherwise contemplated by this report; and

6. Authorises the Chief Executive Officer to sign and as necessary affix the council common seal in conjunction with the Mayor for all legal documentation necessary to give effect to the above matters.

7. Note that the Prudential Report for the Project will be tabled with Council for its consideration prior to Council entering into formal contracts for construction.

8. Note that communication with the community will occur in order to provide transparency of the decision making of Council and direction and timeline of the project.

Section 91(7) Order

That Council:

9. Pursuant to Section 90 (3) (b) & (d)
   That having considered Agenda Item 18.2 Aquatic and Leisure Centre in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the

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Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence 2nd August, 2031) or such lesser period as may be determined by the Chief Executive Officer, and that this order be reviewed every 12 months.

Background:

1. The Mount Barker Regional Aquatic and Leisure Centre (The Project) has been a recognised priority of Council since the 2015 Needs Analysis demonstrated a warrant for a facility to replace the ageing Mountain Pool complex.

2. A chronology of the project milestones from project conception in 2015 is shown at Attachment 4. The project has been tabled for Council's consideration on 11 occasions during this time.

3. The Council has been provided with consistent expert advice regarding the need to plan for a diverse range of community needs.

4. As a result, Council has promoted a project scope that is aspiring to meet a diverse range of community need, consistent with contemporary aquatic and leisure centres – see Project Scope at Attachment 1. The site selected also enables the facility to expand into the future, particularly as our population base grows significantly across the next 20-30 years.

5. As a result of this approach, the Council has been extraordinarily successful in achieving a significant amount of Federal and State Government funding for the project totalling $22.3 million (representing approximately 75% of the total project costs), with a funding provision of approximately $8 million provided by Council.

6. What has resonated, particularly with the State Government, was Council's commitment to ensuring that the on-going financial viability of the project is underpinned by the design, scale and operating approach.

7. In addition, Council's innovative, precinct approach of leveraging its (and State/Federal) expenditure on community infrastructure to stimulate private sector investment in complementary leisure and tourism facilities is set to be a leading, national example.

8. If done right, not only will the broader precinct provide a unique leisure and tourism destination for locals and visitors alike, but will be a significant local employer.

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9. There are multiple time pressures that dictate the speed at which Council must progress through to the next phase of this project or risk forfeiture of the grant funds committed.

10. This next phase of the project will see the design team engaged, operator EOI commenced, project and site due diligence commissioned and the review of the 2019 concept.

11. This next stage of design will incorporate a range of feedback and technical inputs to ensure a revised concept best meets community needs, technical standards and considers appropriate construction cost contingency.

12. Given the complex and escalating nature of the construction market, maintaining this project within the approved budget will remain an on-going challenge.

Discussion:

13. The Project incorporates many moving parts, which need to be integrated and managed proactively to ensure success.

Project Governance

14. The learnings from the Summit Sports and Recreation Park Stage 1 project have been embedded into a new Project Governance Framework (attachment 5) to assist in the successful delivery of the project and to compliment the capabilities and capacity of internal council staff.

15. The approach to augment internal staff with external is critical to ensuring adequate resources are applied to this project. Without it, Council is at risk of not progressing the project at the speed required of our State and Federal Funding Deeds. This continuity of resourcing, coupled with Council, Audit and Risk Committee and Community Reference Group input, will provide the best opportunity in realising project success.

16. It is proposed that core project team members (both internal and external) will remain throughout the life of the project. This will ensure continuity of knowledge and expertise and to minimise risk of critical project elements being overlooked as it progresses through various stages of design, delivery then operation.

17. In order to meet the timelines of the Funding Deeds, a high degree of delegation and authorisation must be provided to the Chief Executive Officer to ensure suitable project progression occurs. This will not take away the need for Council to endorse key documents and steps within this process, but acknowledges that in between, the project must proceed swiftly in order to mitigate the risk of non-compliance.

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18. It is intended that there will be regular information reports to the Council about project milestones, project risks, budget and financial information and notification regarding the exercise of any extraordinary delegations.

19. Informal updates to Council Members in between these reporting obligations, may also occur to ensure that the provision of information is timely and appropriate to Members.

Risk Management

20. Recognising the high volume and complexity of risks relating to the delivery of this project, external input around risk management has been provided, with a high level representation of the project risk matrix attached (attachment 6).

21. This matrix identifies the risk of external funding loss and the ability to meet aggressive project timelines are amongst the key critical risk issues.

22. Risk mitigation and controls achieved through the Project Governance Framework and delegation to the Council's Chief Executive Officer are vital mitigation strategies to ameliorate these project risks.

23. In addition, COVID-19 uncertainty, material shortages and access to consultants and external advisors as and when needed also pose high risk issues to the project. These risks have been mitigated where possible by procuring expert resources much earlier in the project lifecycle and dealing with material shortages as part of our procurement approaches where relevant.

24. It is envisaged that project risk management reports will be provided to the Council's Audit and Risk Committee at routine intervals.

25. In keeping with statutory provisions, a Prudential Report will be tabled for Council's consideration prior to the administration entering into contracts for construction to support the project.

Community Reference Group

26. To ensure that the project maintains focus on the outcomes to the community it is proposed that a Community Reference Group be established. (The terms of reference can be found at attachment 2)

27. Given the significance of the new facility, the Community Reference Group is proposed to have members from both the broader community as well as from key user groups who are likely to be located at the facility.

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28. Members will be informed of the project progress, assist with information regarding community engagement activities and will provide an avenue to community networks regarding key matters relating to the project.

29. It is proposed that the CEO in consultation with the Mayor will call for Expressions of Interest from community members and key user groups in order to fill the necessary positions on the group. The CEO in consultation with the Mayor will determine (based on a pre-determined set of criteria) the membership of the Community Reference Group.

30. It is proposed that the Mayor will provide Elected Member representation on this group. All Elected Members will however be made aware of the meeting times of the group and are welcome to view the operation of the Community Reference Group.

31. The Community Reference Group will be a key attribute to the Project Reference Group to ensure that community updates, community messaging and engagement activities are timely and appropriate.

32. The group will meet at least quarterly and more often if the project timelines require it.

33. Notes from the meetings of this group will be made available to the group and also to Council Members and may inform future Council reports on the project.

Project Scope

34. The adoption of the project scope, is a key critical risk identified for the project success and for achievement of the timelines within the funding documents.

35. The design, function and management of the aquatic and leisure centre has and continues to be driven by a number of key guiding principles, these include:
    - Catering for the diverse needs of our community;
    - Financial sustainability;
    - Catalyse complimentary private sector investment within the broader Hub Precinct;
    - Community experience and sense of ownership;
    - Environmentally sensitive design (construction and operation).

36. Driven out of these guiding principles, is the recommended scope of stage 1, which has been relatively consistent since 2017, when Council first submitted (and was ultimately successful) for Federal Government grant assistance.

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37. There is a critical distinction between scope and design. The scope is listing the key elements/attributes of the facility, whereas the design is its manifestation or visual representation.

38. It is worth noting, that this report is not yet asking Council to endorse a concept or design, however it is asking Council to endorse the scope, which will enable authorisation of the funding deeds that are now due and the progression of this project.

39. The application to the State Government in early 2021, put forward an additional element being the warm water therapy pool. The scope subject to the 2021 State Grant was as follows:

    An indoor facility comprising:
    - 25m x 10 lane competition/lap pool
    - Combined learn to swim and shallow entry leisure pool
    - Warm water therapy pool
    - Gym and fitness rooms
    - Crèche
    - Kiosk/café
    - Toilets/change rooms
    - Meeting rooms
    - Storage
    - New access road, car parking
    - Plant and filtration equipment

40. Given the forecasted population growth in Mount Barker, possible changes in aquatic and leisure trends into the future and taking into account learnings from our research, community feedback and advice from industry experts, additional facility elements were contemplated for the site. These will be considered through Stage 1 to ensure they can be incorporated when warranted. These include;
    - Outdoor competition capable 50m pool (potentially partially covered)
    - Expanded aquatic leisure facilities (splash pad, waterslides)
    - Indoor sports courts
    - Expanded commercial/allied health facilities

41. Warren Green Consulting has been engaged to undertake a review of the project direction and as part of this, has interrogated the proposed scope of stage 1. Their report (Attachment 7) provides support for the approach taken, recommending that *Consistent with current planning, Council continues with a direction that provides a broad and balanced approach to meeting community need including the delivery of benefits in education, general health and wellbeing, leisure/recreation, sport and fitness, social engagement, relaxation and rehabilitation.*

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42. Noting the interest from some sections of the community regarding the inclusion of a 50m indoor pool instead of a 25m indoor pool, Warren Green Consulting undertook a further review of the project scope and has provided the following recommendation:

    That an indoor 25m pool be included in the development and to maximise flexibility and functionality, this pool should be 10 lanes wide.

43. The recommendation for stage 1 to include a 25m indoor and not 50m indoor pool is consistent with every other external aquatic and leisure consultant Council has engaged since 2015 (Ross Planning, World Wide Sports Management/Hunt & Hunt Consulting, SGL Consulting and Warren Green Consulting). This advice has more recently been supported by the preliminary market engagement that has occurred with the major facility operators.

44. The catchment and as a result, forecasted usage of the facility, in the opinion of experts who plan for and operate these facilities, does not warrant the development of an indoor 50m pool.

45. The capital cost of its inclusion will create a forecasted, minimum $8million over run to the current budget, whilst the on-going costs of running the facility will increase by at least $500,000 a year.

46. Despite the significant capital and operating increases, the advice to date is that it will not actually generate a significant increase in community use, given the majority of aquatic use is actually through the learn to swim, leisure and therapy spaces.

47. The financial sustainability of this facility, driven by the use mix and scale, is paramount to not only the Council's receipt of grant funding, but will be central to the Section 48 (Prudential) report that will be required to be submitted for this project.

48. In addition to general support for the projects scope and direction, Warren Green Consulting has recommended that there are a number of elements worthy of more detailed investigation and refinement as the concept design is reviewed and updated. These include:
    - Review areas around main pool to ensure that it is competition capable;
    - Expand floor area of gym to ensure commercially viability;
    - Warm water therapy product to best meet broader community need;
    - Inclusion of contemporary leisure facilities;
    - Car parking to meet demand;
    - Embedding of technology to improve user experience and management
    - Early engagement with the pool operator to ensure that functionality and industry specific knowledge has been inputted into the revised concept.

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49. Another key recommendation is the need to (in parallel with an updated concept), update the construction cost estimates for the project. These will be essential to guide Council's decision making on the final facility scope and design that it will ultimately commit to constructing.

50. Given the significant amount of government funding being provided to the market at present, the risk of escalating construction costs is of particular concern together with timely access to skills, materials and labour.

Detailed Design Phase *(concept review through to construction drawings)*

51. The draft Federal Funding Deeds require construction to have commenced by early to mid-2022.

52. In order to meet the timeframes contained within both the State and two Federal Funding Deeds, Council must now move immediately through to the detailed design phase of the project.

53. This phase of the detailed design will seek to review and update design of the facility, taking into consideration the following inputs:
    - Council Member feedback;
    - Recommendations from Warren Green Consulting, Project Review Report;
    - Recommendations from SGL Consulting (draft Business Case, 2019);
    - Feedback from the 2019 community consultation;
    - Site and project due diligence (geotechnical, civil, site survey, services, trees, cultural survey, etc;)
    - Input from potential facility operators/management;
    - Community and Project Reference Groups;
    - Updated cost estimates and operational plan;
    - Contractor input (construction methodology, materials and timeframes).

54. The detailed design phase will incorporate two critical Council decisions relative to the design.
    - Approval of detailed concept design
    - Approval of detailed design (pre–award of construction tender)

Aquatic and Leisure Centre Operator: EOI

55. The operating and management model for the facility is critical to its success.

56. The early decision making around this is important so that the operator/manager can have meaningful input into the design to ensure:
    - optimum performance of the building through functional layout design;
    - siting and integration of facility into broader Hub precinct;
    - preparation for facility operations (i.e. membership promotion, recruitment of key staff, building key stakeholder relationships etc).

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57. There are a number of operating models that are possible, including outsourced, hybrid and in-house the three primary examples.

58. Presently, Council has outsourced the operation of its aquatic and leisure facilities (namely Mountain Pool and Adelaide Hills Recreation Centre).

59. Consistent with previous advice, Warren Green Consulting has recommended the following with regards to the operating model for this facility:
    - *It is recommended that Mount Barker District Council continue to explore an outsourced management model as the preferred option for managing the new aquatic and leisure facility. This model…. will assist Council with the delivery of an efficient and effective operating approach that maximises community outcomes.*

60. Preliminary engagement has occurred with the major aquatic and leisure centre operators, to ascertain their level of interest and capacity to operate the facility. All have demonstrated a keen interest in partnering with Council in its operation.

61. An EOI process is proposed, whereby suitably qualified operators will be encouraged to apply, providing evidence of their capability, compliance with key guiding principles (Attachment 3) and ability to achieve an optimal financial outcome for Council.

62. This EOI process is designed to best inform Council of the relative merits (or not) of an external operator model. All submissions will be assessed against an in-house operating scenario to ensure clarity and transparency of decision making for Council.

63. Council will be presented with the analysis of the operator responses and be asked to endorse a recommendation on how to proceed at a future meeting.

64. Commencement of this EOI process is paramount to ensuring the successful operator has meaningful and early input into the facility design.

Regional Hub Precinct: EOI

65. Consistent with a taking a whole of precinct approach, and integral to capturing value from Council's investment into community infrastructure on the site, the remaining land (approx. 15ha) has the potential to facilitate significant, complimentary private sector investment, in order of $100 million.

66. Preliminary market engagement with a number of major recreation, leisure and accommodation providers, has confirmed there is significant interest to create what would be a nationally significant precinct of its type, capable of generating significant local employment, economic and tourism value.

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67. Consistent feedback from all groups consulted was the imperative that the precinct benefit from a single management model across the whole of the site for reasons including:
    - Efficient resourcing model;
    - Integrated maintenance;
    - Consistent precinct marketing and promotions;
    - Management/co-ordination of major precinct events;
    - Greater potential to achieve a revenue-generating asset for Council

68. Capable of driving significant employment, tourism and economic impacts, the precinct has the potential to assist Council in cross-subsiding its on-going expenditure in assets such as the Summit Sports and Recreation Park, Aquatic and Leisure Centre, Adventure Playground and other developments or activities not yet envisaged.

69. The EOI for the operation of the Aquatic and Leisure Centre seeks responses from potential operators of the aquatic and leisure centre and will also seek to capture interest regarding the investment into complimentary leisure, recreation and accommodation uses within the broader Hub precinct.

70. Given the complexity of the broader precinct, the process will prioritise the decision around the operation of the aquatic and leisure centre, therefore allowing the time necessary to ensure key stakeholders and community are involved in this element of the project.

71. As with the EOI for the aquatic and leisure centre, the broader precinct EOI will seek to understand each groups capacity, alignment with precinct guiding principles, value added capability and ultimately their commercial proposition.

72. Precinct Guiding Principles are provided in Attachment 3.

73. A subsequent Council Agenda item, will provide further clarity on the role of and appointment of Members to an assessment panel to assist Council in assessing submissions received and making recommendations as to a preferred approach.

74. Running the EOI for the aquatic and leisure centre and broader precinct is recommended as the optimal strategy in order to capture the greatest market interest and value, which will ultimately put Council in the best position to assess the relative value of an outsourced operations/development model.

75. The Summit Sports and Recreation Park Board will be engaged as part of this process also to ensure they are across and have input to the relationship between that facility and the broader Precinct.

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Community Engagement

76. The 2019 broad public engagement around the draft facility concept yielded approximately 1000 responses/engagements, with support for a new facility overwhelming amongst the community.

77. A clear mandate was provided to Council to proceed with the development of a new aquatic facility, with the key themes from this consultation being:
    - Very strong support for the development of a new aquatic facility (>95%)
    - Most popular activities to be undertaken within proposed facility were leisure swimming, lap swimming, aquatic fitness and water slides.
    - 80% of people were from within Mount Barker, with 20% being from Adelaide Hills Council and beyond.
    - 20% of respondents requested the inclusion of a 50m pool
    - Almost 60% of respondents don't currently use an aquatic facility
    - Of those not currently using a pool, aquatic fitness, leisure swimming and rehabilitation present the most popular activities to be undertaken in a new facility.

78. On-going engagement with community around the projects status is proposed through a range of method, these include:
    - the proposed Community Reference Group;
    - Project updates via the Council's Your Say project 'tile TBA' – which is a new approach to ensuring transparency and visibility to major projects;
    - Regular community updates – informed by the Community Reference Group;
    - Proactive media and social media posts;
    - A regularly updated Frequently Asked Questions document.

Critical Path/timeline

79. The Project is on a critical path, meaning it must proceed immediately into the next phase of design otherwise it will fail to meet funding deed milestones of both State and Federal Government.

80. The draft Federal Funding Deeds, which require construction commence by early to mid-2022, will likely require an application for their amendment even if there are no significant delays from this point.

81. It is proposed that the Chief Executive Officer be provided suitable delegation to propose amendments to key milestone dates to ensure Council compliance and project outcomes are not compromised.

82. Attachment 8, presents a high level project timeline that combines the design and construction timeframes with that of the EOI for the facilities operations.

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83. Based on this timeline, construction is proposed to commence around Sept/October 2022, with construction complete in early 2024.

Next Steps/Key Decisions of Council

84. There are many touch points with Council as this project progresses through the next phase. Key decisions will include:
    - Operator model
    - Preferred operator (pending decision on above point)
    - Revised concept design (inclusive of updated cost estimate)
    - Updated Business Plan/Operational Plan
    - Section 48 Report (Prudential)
    - Detailed Design
    - Procurement of construction contractor

85. Minimum quarterly project status reporting will be provided to Council.

Budget:

Council has been highly successful in obtaining grant funding commitments from both the Federal and State governments ($22.3million). The level is unprecedented and is subject to Council finalising the Funding Deeds and implementing the project in accordance with the agreed scope, budget and key project milestones. This funding project risk is identified in the Project Risk Matrix at Attachment 3 due to its significance.

Council funding of approximately $8million is allowed for within the Council's Long Term Financial Plan (LTFP) and the Annual Business Plan and Budget for 2021/22 provides sufficient funds to progress with detailed design and potential early site works.

The on-going operating cost of this facility is of high sensitivity within the LTFP, emphasising that facility mix and scale are critical to avoiding significant impacts on Council's operating budgets. Given the inability to cease the operation of the facility once developed, any increased operating costs will result in the need to increase rates or will see the reduction in other Council services.

Statutory/Legal:

A dedicated external legal expert with major project experience in both the private and government sectors has been engaged to ensure project probity and legal considerations are at the forefront of the project team's considerations and that decision making is accountable, transparent and risk mitigation strategies are apparent and evidenced.

Development Approval will be required prior to construction occurring.

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Staff Resource Requirements:
This project has and will have significant resourcing impacts on the Council's administration, particularly at a time where there are multiple intergenerational projects occurring at the same time. To counter this impact, a contemporary approach to the project's management and governance has been adopted which includes key inputs and resource support from a blend of internal and external persons.

External persons with independent expertise in a range of key areas have been and will be engaged at relevant times throughout the project to compliment the capacity and capability of Council's internal administrative resources. Attachment 5 illustrates the proposed project governance structure.

Environmental:
Environmentally sustainable design (ESD) principles are fundamental to this project and the broader Hub precinct. Not only are they critical to ensuring minimal harm on the environment but it is also important in limiting the on-going energy costs associated with operating this facility.

The next phase of design will start to investigate the ESD options in much greater detail and will also incorporate opportunities for creek revegetation works and protection and enhancement of existing significant trees on site.

Social:
The proposed scope of this facility will successfully cater for a broad range of community user groups, which is paramount to achieving the multitude of social wellbeing outcomes of this facility.

There are many diverse parts of our community that are looking forward to the development of this facility based on the broad spread of activities that will be catered for. The social wellbeing data is clear around the benefit of well-designed and programed community aquatic and leisure facilities, as a place for people to come together to relax, socialise, learn, be active and safe.

The establishment of the Community Reference Group will assist in providing valuable insights to the project team on usability, functionality and community information inputs and outputs.

Risk Assessment:
A detailed risk assessment has been developed on this project. A summary of the process undertaken and a high level summary is shown in attachment 3.

The project risks have been amplified by the funding deed deadlines, COVID-19 environment and its effect on the construction sector specifically and the capacity matters for the administration of Council in managing multiple projects

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concurrently. Project risk controls and mitigation strategies are outlined in the risk matrix.

Critical to the risk control environment is a high level of delegation to the CEO for decision making.

Risk control effectiveness and residual risk levels will be reported through to the Council's Audit and Risk Committee on a quarterly basis.

Asset Management:
A detailed asset management plan will be developed to manage the new facility once constructed. Maintenance costs have been estimated as part of the business case.

Conclusion:
Council has developed a vision over several years for the development of a regional aquatic and leisure facility, integrated within a broader precinct that brings together complimentary recreation and tourism activities, that in addition to the known community benefits, will deliver significant tourism and economic outcomes for the region. This report summarises procured expert input around how that vision is best realised. Council's decision making on the project scope and early input from potential operators is critical to informing the next phase of detailed concept design to meet grant obligations.

The governance and delivery structure proposed will involve the community and ensure expert input and oversight to ensuring a quality outcome that not only meets grant obligations but is welcomed as a significant facility which contributes positively to the health and wellbeing of the community. There will be many more significant decision points for Council as this project progresses through to design, construction and operation.

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Meeting Date	6 April 2021	CM Reference	DOC/20/47902
Title	Regional Aquatic and Leisure Centre Update		
Purpose	To provide an update on recent funding announcements for the Regional Aquatic and Leisure Centre and provide clarity on proposed next steps to progress the project.		

Meeting Date	2 November 2020	CM Reference	DOC/20/146469
Title	Regional Aquatic and Leisure Centre		
Purpose	To provide an update on recent funding announcements and provide clarity on proposed next steps to progress the project.		

Meeting Date	2 December 2019	HPRM Reference	**DOC/19/146103**
Title	Regional Indoor Aquatic and Leisure Centre		
Purpose	Summary of Consultation		

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Meeting Date	2 September 2019	HPRM Reference	**DOC/19/103566**
Title	Regional Indoor Aquatic and Leisure Centre		
Purpose	Endorse Plan for consultation		

Meeting Date	3 September 2018	HPRM Reference	DOC/18/89697
Title	Indoor Aquatic, Recreation and Wellness Facility		
Purpose	Present Concept Plan and Precinct Plan		

Meeting Date	7 May 2018	HPRM Reference	DOC/18/441085
Title	Indoor Aquatic, Recreation and Wellness Facility		
Purpose	Update on Planning and Funding		

Meeting Date	6 July 2015	HPRM Reference	DOC/15/58574
Title	Aquatic/Multi-use Demand and Needs Analysis		
Purpose	Present Needs Analysis to Council and seek endorsement		

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Attachment 1 to Item 18.2

Attachment 1.

Provisional Project Scope

Stage 1 of the Mount Barker Aquatic and Leisure Centre

An indoor facility comprising:

1. 25m x 10 lane competition capable lap pool
2. Learn to swim pool
3. Leisure/shallow entry water-play and small slides
4. Warm water therapy pool
5. Gym and fitness rooms
6. Creche
7. Kiosk/café
8. Toilets/change rooms
9. Meeting rooms/marshalling areas
10. Storage
11. New access road, car parking
12. Plant and filtration equipment

Additional stages of the facility or elements to be considered should funding/demand exist:

13. Outdoor 50m competition and leisure pool (potentially partially covered)
14. Expanded aquatic leisure facilities (splash pad, waterslides)
15. Indoor sports courts, including gymnastics
16. Expanded commercial/allied health facilities
17. Temporary or seasonal aquatic/recreational activities

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TERMS OF REFERENCE

COMMUNITY REFERENCE GROUP – REGIONAL AQUATIC AND LEISURE CENTRE

1. **Preamble**

The Council may establish a community reference group by resolution of Council to assist it in its aims and objectives. The Council wishes to provide a formalised pathway for the Council via the project team to engage with members of the community regarding the Aquatic and Leisure Centre strategic project.

2. **Purpose of the Community Reference Group**

The *Community Reference Group – Regional Aquatic and Leisure Centre* is established for the purpose of assisting the Council in the following:

- To provide advice on communication channels to the Mount Barker District Council community regarding the project
- Engagement with key stakeholders in the community who have a close association with the project and the broader community
- To hear from community members regarding the use and functionality of the end outcome of the project
- To assist the Council to develop targeted community engagement activities and project communications to assist in the broader community understanding of the project
- To assist the Council in ensuring that factual and accurate information is provided to the community in a timely manner.

3. **Delegations**

The Community Reference Group has no formal delegations of authority, it is an advisory group to the Council's Project Reference Group.

4. **Membership of the Community Reference Group**

The membership of this Community Reference Group comprises eight (8) members in total. The membership of the Group is comprised of:

- Chairperson being the Project Sponsor
- The Mayor (deputy Mayor to act as proxy)
- three user group stakeholder representatives from Clubs or groups that are likely to be based at the new aquatic and leisure facility
- three community representatives who are Mount Barker District Council ratepayers

The user group stakeholders will be formal office bearers or nominees from their representative groups who are identified as potential end user groups of the new facility. The nominated representatives will have relevant knowledge and experience relating to the user groups of aquatic facilities, their management and operation.

The community representatives will be nominated selected by the Council's CEO and are identified as key community contacts who have extensive networks amongst the broader Mount Barker District Council community.

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The Project Lead (Council's internal staff member) will be the Responsible Officer to the group and will attend each meeting.

The Project Lead will ensure that there are sufficient administrative resources to support the taking of notes and distribution of those notes for each meeting.

The notes of each meeting will be published within the project page on Council's website within 10 business days of each meeting.

The Community Reference Group will meet at least quarterly during the life of the project and more frequently when required as determined by the Chair.

All members (except the Elected Members) will hold office for the term of the project. Elected members will hold office for the duration of their current elected term.

5. Process for calling for and nominating community representatives.

The Council's CEO (after consultation with the Mayor) will call for nominations for election of persons from groups that are identified as having a close association with the project outcomes. Council's elected members will be asked to provide input on the list of proposed groups for which nominations will be sought.

Nominees will be required to provide a one-page overview of their relevant experience and knowledge and formal endorsement from the nominated user group.

The Council's CEO will advertise via an Expression of Interest process to the broader community for the three community representative positions. Applicants will be asked to provide a one-page overview of their relevant interest in the project and a statement regarding their broader networks that may be relevant for communication of the broader community outcomes.

The Council's CEO will then determine the composition of the Community Reference Group and the filling of the respective positions in accordance with these Terms of Reference and a set of pre-determined criteria.

6. Performance of the Community Reference Group

Members must notify the Chairperson or Responsible Officer as advised on the Notice of Meeting of non-attendance of a meeting.

Absence without leave of the Reference Group or Council from three or more consecutive meetings may result in removal from the Reference Group and a replacement called from the original applicants for the Group.

Outcomes of the Group will be noted and made by consensus of all members present.

Meetings will commence with a minimum of four (4) members which must include the Chair (or the Responsible Officer in their absence), and four of the combined possible attendees from the community and stakeholder representatives in attendance.

Meetings will be held at a time, date and venue as determined by the Chair taking into account the availability of participants.

The Chair or the Group may invite additional persons to be in attendance at meetings when deemed necessary for the furtherance of the groups purpose.

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The group's meeting will be attended by other members of the Project Reference Group and external resources as and when required as determined by the Chair or Project Lead.

Council Members will be made aware of the date and time of meetings and may view proceedings, however will not take part in the deliberations of the Group.

The Council's CEO can determine when the Group has finalised its objectives or if the group is not operating in accordance with these Terms of Reference and/or not meeting the objective of adding value to the consultation and engagement aims for the project.

Membership of the Community Reference Group – Aquatic and Leisure Centre

Community Members	**Independent member**
	Project Sponsor (Chair)
Mayor (Council EM rep)	
[to be inserted]	
[to be inserted]	
[to be inserted]	
[to be inserted]	
[to be inserted]	
[to be inserted]	
	Project Lead – Luke Gray (Deputy Chairperson) – non voting member

7. Chairperson

The role of the Chairperson is to:

- Oversee the orderly conduct of the meeting
- Ensure that the conduct of the meeting is fair and contributes to open, transparent and an informed consensus
- actions should encourage appropriate participation by all members in the conduct of the meeting
- procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting
- procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting
- ensure that the meeting participation by all members is respectful and inclusive.

The Chairperson is not excluded from the discussion of the group.

If the Chairperson is absent from a meeting, the Project Leader will act as interim Chairperson for the purposes of conducting the meeting.

8. Responsibilities and role of Community Reference Group members

Individual Community Reference Group members will have the following responsibilities:

a. Understand the goals, objectives and desired outcomes of the project
b. Understand and represent the interest of project stakeholders
c. Take a genuine interest in the project's outcomes and overall success
d. Assist in the development of community engagement activities and community information activities regarding the project

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e. Provide insights to the Community Reference Group on the information and engagement needs of the community as they relate to the project
f. Act on opportunities to communicate positively about the project
g. Actively participate in meetings through attendance, discussion and review of notes, papers and Community Reference Group documents
h. Support open discussion and debate, and encourage fellow group members to voice their insights
i. Oversight of project outputs in relation to community information, updates, feedback and engagement mechanisms
j. To keep confidential any information which the Chair or the Project Lead advises is confidential information.

9. Access and meetings

A minimum of five (5) clear days' notice of the meeting, accompanied by the agenda will be given to members of the Community Reference Group and published on the Council's website.

The notes from each meeting will form part of the milestone reporting to Council by the Project Lead and published in the Aquatic and Leisure Centre Project Page on the Council's website.

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Attachment 4 to Item 18.2

Aquatic and Leisure Centre
Project Chronology
As of July 2021

Date and Item	Overview
2015 - June Mount Barker Aquatic / Multi-Use Facility Needs Assessment (Ross Planning)	The Mountain Pool in Mount Barker is an ageing facility (almost 60 years old) at the end of its life. The facility, built by volunteer labour in 1955, has very low patronage. Key issues identified for the ongoing viability of any proposed development include: - A 50m pool would not be viable, at least in the initial development. - Land should be large enough to accommodate a 50m pool in the future. - Irrespective of the components, overall aquatic facilities generally run at an operational loss. - Aquatic facilities are best located in multi-purpose precincts with community facilities. There is a range of aquatic user groups and they should all be considered as part of the planning process. These are: a) recreation and social users, b) fitness and competition users, c) education users and d) therapy users. Key identified facility considerations include the following: - A wider range of experiences is necessary including outdoor services, café, multi-purpose rooms, creche and gymnasium. - Increased opening hours and a longer season are needed to provide an appropriate level of community access. - A 25m, 8 lane covered pool is recommended. - The significant expense involved (both capital and operational) with the inclusion of an indoor 50m pool is not warranted particularly when this only caters for 20-25% of users. Discussions with Swimming Australia identified that such pools should only be considered in metropolitan centres (with populations of at least 100,000). - The high operating costs and operational constraints of a hydrotherapy pool are not warranted. General rehabilitation and exercise programs will be available through both the program and 25m pools as required, and a dedicated hydrotherapy facility is available within 40 minutes driving time. It was recommended that the facility operation be outsourced as Council will not have the staff resources and an operator will have access to the resources required.
2015 - 6th July Council Meeting (Needs Analysis)	Council resolved the following: 1. Receive the Ross Planning Mount Barker Aquatic/Multi-use Facility Needs Analysis (Needs Analysis), June 2015. 2. Authorise broad community notification of the key outcomes of the Needs Analysis and that: a. No further major capital upgrades are intended to be carried out on the existing Mountain Pool facility given its limited life span. b. Mountain Pool continue operating as is, subject to its compliance with minimum structural and operational standards. 3. Note that Council staff will begin detailed investigations for a new aquatic/multi-use facility and that partnering and financial parameters are critical to informing the outcome. A summary report of these investigations will be provided to Council by December 2015. 4. Note that future stages of this project will involve further detailed community and stakeholder consultation and input.
2015 - 21st Dec	Council Endorsed the Mount Barker 2035 – District Strategic Plan. A key aim outlined under the Community Wellbeing Theme is to significantly advance new sport and recreation facilities and aquatic centre.

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Date and Item	Overview
Council Meeting (Strategic Plan)	
2016 - March Siting Options Review (Oneighty)	The Oneighty report commissioned by Council in March 2016 considered the recommendations of the Ross Planning report and assessed three options for a future aquatic facility: 1. Rebuilding an aquatic facility on the existing Council owned Cameron Road site. 2. Relocating the facility to a proposed Council planned regional sporting precinct at Springs Road, Bald Hills. 3. Co-locating Council's facility with a proposed new school development at Aston Hills Education Land to be built by the Lutheran Schools Association. Following an analysis of the above options, it was summarised that: 'The Springs Road site (balance of land adjacent to the golf club) is an option for the development of a stand-alone aquatic centre, but consideration should be given to focus on leisure over community recreation swimming should the caravan park be relocated to this area and a tourist park concept developed. Aston Hills site is deemed a logical and sensible option for the development of an indoor pool given the synergy with uses for shared community use for fitness, sport, learn to swim and other aquatics-based development initiatives.'
2016 – 19th Dec Council Meeting (Mount Barker Sports and Aquatic Centre Business and Operational Plan - World Wide Sports Management)	World Wide Sports Management and Hunt & Hunt Consulting were commissioned by the Lutheran Schools Association (on behalf of Cornerstone College) to prepare a business and operational plan to inform the feasibility of partnering with the Mt Barker District Council (Council) in the development of a sports and aquatic centre. Based on the key findings from the Ross Planning Study, it was projected that the associated visitation numbers for a new aquatic and leisure facility in year 1 would be around 180K and the operational deficit (excluding the sinking fund and major refurbishment) of $234K with a "break-even" position when the population reached 45,000. This partnership opportunity did not eventuate as Cornerstone College removed its interest due to timing and the decision to focus on more traditional educational investments.
2018 - February Preliminary Costings	Preliminary costings were undertaken on the costs associated with the development of five potential future stages of the aquatic and leisure facility development. These costs were provided as a guide only as the development of a functional brief and concept were in very early stages. The identified costs, including escalations, at the time were as follows: - Stage 1: base-level aquatic and leisure facility with a 25m pool, program pool, toddler's pool, gymnasium, amenities, front of house and operational areas. Estimated cost $29.6M (inclusive of roadway and services). - Stage 2: multi-purpose hall and amenities. Estimated cost $12.6M. - Stage 3: warm water pool. Estimated cost $2.6M. - Stage 4: Outdoor 50m by 25m competition pool and splash pad. Estimated cost $13.1M. - Stage 5: indoor recreation hall extension. Estimated cost $16.1M. The total estimated cost for all stages, including escalations, was $74.1M.
2018 - 7th May Council Meeting (Project Update)	An update was provided to Council outlining that: - Swimming SA has formally confirmed their long-held position that a regional indoor aquatic facility should be located within the township of Mount Barker. - Brown Falconer was awarded the contract to commence concept design and costings for the proposed facility.

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	- Council continued to await confirmation of whether it had successfully secured a $10M Federal Grant (Building Better Regions Fund) to assist in the delivery of the facility.
2018 - June Federal Government Funding	In December 2017, Council applied for the maximum permissible amount of $10M as part of the Federal Government's Building Better Regions Funding program. In June 2018, Council was notified that it was successful in being awarded $10M towards the development of a new facility.
2018 - 3rd Sept. Council Meeting (Regional Hub - Confidential)	The Regional Hub Precinct Plan and Regional Indoor Aquatic / Leisure detailed concepts were considered by Council as a confidential report. A summary of the key issues was provided, as per below: 1. Council have received a $10M commitment from the Federal Government for a new regional indoor aquatic facility in Mount Barker. 2. Together with the provision within Council's Long Term Financial Plan, the current $14M allocation is insufficient given early estimates propose a cost of between $25M to $30M for Stage 1. 3. A Precinct Plan has been developed, which creates opportunities for commercial development that can underpin Council's investment into community facilities such as the Regional Indoor Aquatic and Leisure Facility and the Regional Sports Hub. 4. A facility concept design has been developed, identifying Stage 1 and how additional future stages may be developed over a considerable period of time. 5. Further funding will be sought from the Federal Government, whilst funding will continue to be sought from the State Government at a scale commensurate with this facility's regional status. 6. Acquisition by Council of a privately owned parcel of land at 383 Bald Hills Road is required.
2019 - March Preliminary Costings	Further preliminary costings were undertaken of three potential development options as follows: - Option 1: single storey development with a 25m by 8 lane pool, learn to swim / toddler's pool and ground floor gymnasium development. This option does not include a splash pad, warm water pool or wellbeing centre. The gross floor area is 2,965sqm and an estimated cost between $19.8M to $20.4M. - Option 2: two-storey development comprising of a 25m by 10 lane pool, learn to swim / toddler's pool, wellbeing centre and gymnasium. This option does not include a splash pad or warm water pool. The gross floor area is 4,159sqm and an estimated cost between $24.7M to $26.2M. - Option 3: two-storey development comprising of a 25m by 10 lane pool, learn to swim pool. splash pad, warm water pool, wellbeing centre and gymnasium. The gross floor area is 4,475sqm and an estimated cost between $28.0M and $30.0M. These costs were based on indicative concepts developed in March 2019. The following assumptions are noted: escalations to 2020, design contingency of 4%, construction contingency of 5%. Exclusions are outlined in the QS report.
2019 - June Preliminary Concepts	Peddle Thorpe Architects developed preliminary draft concepts with an indicative layout of the full site development and a potential staging approach. In addition to the elements outlined in the costings for Option 3 (as Stage 1), Stage 2 includes 5 x multi-purpose sports courts and additional car parking, and Stage 3 includes an outdoor 50m pool, splash deck and slides. The indicative full site plan concept is attached in Appendix A.
2019 Mount Barker Regional Indoor	The Draft Business Case was based on the Stage 1 functional areas of the facility being, a 25m by 10 lane lap pool, learn to swim facility combined with

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Aquatic and Leisure Centre Business Case (Draft)	shallow entry leisure pool, gym and fitness rooms, associated amenities, kiosk, meeting room and a warm water pool (subject to additional funding). The total projected income in year one is $1,294,945, including $971,984 and $280,962 from aquatics and health and fitness, respectively. Total expenditure, excluding interest and depreciation, is projected to be $1,586,231, including staffing and oncosts of $896,231. An operating loss before interest and depreciation of $291,285, is projected for the first year of operation. Total operating loss, including interest and depreciation, is projected to be $1,358,319 in the first year of operation. In relation to visitation numbers, the projections are based on 110,000 total aquatic visits, including 20,000 from learn to swim. In addition, the potential number of members is 2,704. Whilst not explicitly including a total visitation number in the Draft Business Case, based on a $9 per visit charge (i.e. comparable to other facilities) the projected visitation number is around 140,000 visits per annum. An analysis of the inclusion of a 50m pool option identified the following: - If a 50m indoor pool is constructed, it is expected that revenues will not change, as it has a very small impact on demand. However, expenditure increases due to the increase in the building size, and the amount of water to be heated and cleaned and the air to be handled and heated. - The additional capital cost for an outdoor 50m pool would be between $5M to $7.5M, with an additional operational cost to Council of at least $100K per annum.
2019 - 2nd Sept. Council Meeting (Project Update - Confidential)	Council was presented with an overview of the project background and next steps, including the following: - Draft Business Case A summary of catchment profile, existing / competing facilities, usage, cost benefit analysis, operating income and subsidy, facility mix, 50m v 25m pool options and scenario analysis was provided. - Funding Strategy An overview of grants, sport and community separate rate, balance of the Regional Hub and borrowings, were provided. It was noted that Council had allocated $5.4M in its Long Term Financial Plan (at that time). - Facility Concept Design The following key principles are guiding the design: a. Prominent location to maximise commercial/community exposure. b. Provide a catalyst to further investment within the broader Regional Hub Precinct. c. Provide a level of architectural expression which sets a tone and standard for private investment within the Precinct. d. Environmentally sensitive design (construction and operation). e. Integration with existing open space/community facilities. f. Balance the needs of a wide range of users. g. Support competitive sport in training and competition. h. Suitable for future expansion. i. Integration with future indoor courts / leisure. The total development concept for Stage 1 includes: a. 25m by 10 lane competition/lap pool. b. Combined learn to swim and shallow entry leisure pool. c. Gym and fitness rooms. d. Creche. e. Kiosk/café. f. Toilets/change rooms.

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	g. Meeting rooms. h. Storage. i. New access road, car parking. j. Plant and filtration equipment. Future stages provisioned within the design can include: a. Warm water therapy pool. b. Expanded aquatic leisure facilities (splash pad, waterslides). c. Indoor sports courts. d. Expanded commercial/allied health facilities. e. Outdoor 50m pool. - Costing A qualified quantity surveyor has undertaken a preliminary costing, with Stage 1 proposed to cost $29M (includes Regional Hub Access Road). - Community Engagement Community engagement to date has focused on targeted stakeholder engagement with local swimming clubs (particularly Mountain Pool Swimming Club), Swimming SA, and Swimming Australia, with broader community engagement proposed. - Next Steps Undertake community consultation to endorse the Detailed Concept Design for the Mount Barker Regional Aquatic and Leisure Centre. Once community engagement is complete, Council will continue to implement its funding strategy. Detailed design is not proposed to commence until a sufficient project budget has been secured. Detailed design and construction are likely to take approximately two years.
2019 - 2nd Dec. Council Meeting (Community Consultation Summary)	On the 2nd of September 2019, Council endorsed consultation of a concept design for the regional indoor aquatic and leisure centre. Community consultation was conducted from 9th September to 7th October 2019 on the layout components of the proposed Regional Indoor Aquatic and Leisure Centre. The vast majority (>95%) of respondents were supportive of a new aquatic facility. Feedback received was extensive, in relation to the total number and detail, providing valuable input to decision making moving forward. Of the additional comments provided, 108 sought the inclusion of a warm water pool, 105 provided general support for noting and 77 preferred a 50m pool over a 25m pool. Several specific comments were provided including, concern over the cost of the facility and priority against other projects of Council. Further investigations around the level of private sector investment associated with the facility are being explored to maximise potential revenue to offset expenditure. Additional market testing has occurred around the feasibility of a warm water therapy pool. $10M has been committed by the Federal Government towards the project, with further Federal and State Government funding required to make the delivery of this facility possible.
2020 - September Council Meeting (Confidential)	In December 2019, Council sought to progress market testing to assess complementary uses for the broader Regional Hub precinct. The scope of this investigation was to: validate private sector interest in the precinct, provide clarity for Council on whether the precinct approach is well-founded and engage with potential operators to understand the level of appetite. The key findings specific to the aquatic and leisure centre included the following: - Financial performance can vary significantly, and this is driven by a mix of uses in the centre and the design / functional layout. - If design and selection of uses are not optimised, this could result in net operating costs to Council of up to $1M per annum.

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	- Many costs are hidden, for example, operational inefficiencies driving higher staffing costs and food and beverage that underperforms. - Based on the information available, there is an opportunity for a strong performing asset. - The early engagement of an operator by Council would result in their input into the detailed design and the Business Case, which would result in a positive outcome for the project.
2020 - 2nd Nov Council Meeting (Funding)	The Federal Government has announced a further $5M commitment for the Regional Aquatic and Leisure Centre, which complements the $10M previously committed. Council will continue to strongly advocate for State Government funding to enable the desired Stage 1 to be delivered. Council will commence the detailed design phase of the project in parallel with securing the required funds to deliver the facility. Note: Separate feedback from Council Officers noted that a condition of the funding was for Council to commence construction by March 2022.
2020 – 14th Dec Council Meeting (Long Term Financial Plan 2020 - 2030)	Council endorsed its Long Term Financial Plan 2020-2030 at the Council meeting on 14th of December 2020. Key comments relevant to the Regional Aquatic included in the Plan are as follows: - *"It is also vital we maintain the delivery of essential services and continue to work with state and federal governments to not only support community safety and wellbeing but generate local economic activity. It is for this purpose that Council has advocated to provide the best outcomes for the district with the delivery of significant investments in our community such as the regional sports hub, regional aquatic and leisure centre, the development of the town centre and upgrade of the district's wastewater treatment system". (Mayor's Introduction)* - Development in the district has driven a demand for higher standards in Council services and facilities, and this is reflected in the higher cost of servicing and maintaining upgraded and new facilities. A good example of this is the planned replacement of the aged outdoor Mountain Pool with a multi-pool indoor aquatic facility. - Examples of significant investment in Strategic New Capital Projects (i.e. projects with full life expenditure over $500K) included in this plan are Regional Aquatic and Leisure Centre Stage 1, Regional Sports Hub Stage 1, Mount Barker City Centre Catalyst Project and Major Wastewater Treatment Plant Upgrade. - The Strategic Asset Management Plan was adopted in September 2020. This is aligned with the Long Term Financial Plan (LTFP), which allows Council to factor in the new and ongoing costs associated with projects such as the Regional Aquatic and Leisure Centre Stage 1. - Prior to the most recently adopted LTFP in June 2020, a 1% general rate increase for sustainability above CPI (over the life of the LTFP) had been included to fund future infrastructure and associated debt. The increase in rates will cover the maintenance, renewals and operations of new services and infrastructure such as the Regional Sports Hub Stage 1 and regional aquatic and leisure facility Stage 1. - The LTFP allows for gross capital expenditure of $99.1M over 10 years for Strategic New Capital projects. 74% of this expenditure occurs in the first four years with the delivery of significant projects such as the Regional Sports Hub Stage 1, Regional Aquatic and Leisure Centre and the Mount Barker City Centre Catalyst Project.
2020 - December Mount Barker Regional Aquatic and Leisure Centre	The aim of the Cost Benefit Analysis was to provide an initial calculation and summary of the comparable benefits and costs of the project to assist in understanding whether the benefits of a project outweigh its costs and by how much, relative to other alternatives. In summary, it has two key functions:

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Cost Benefit Analysis	determining if the project is a sound investment and providing a basis for comparing alternative courses of action. It was identified that the project is well aligned with Council's 2035 Community Plan addressing key objectives within all three key themes of community well-being, economic prosperity and ecological sustainability. Using the swimming participation rates, frequency of participation and the age profile of the primary catchment area, an estimate of the total number of swimming visitations per annum can be made, including attendances from adjoining Council areas based on the 2016 Census population and population projections for 2026 and 2036. Founded on this analysis, the base aquatic attendance demand is 110K in 2016, 146K in 2026 and 187K in 2036. The conclusion was that at least 110K swim attendances would occur at the proposed facility. In relation to gymnasium members, a target of attracting 15% of the market within the first year seems reasonable and realistic i.e. 406 members (15% of 2,7040) and 226 casual users (15% of 1,508). As the population increases, demand is likely to increase. It is also possible that demand will be stimulated by providing a new, high quality aquatic and leisure centre. Consequently, the market is expected to grow, and the number of members and casual users of health and fitness programs and services will increase. A range of potential alternate options are identified for assessment, including upgrading the current facility, closing the existing pool, and allowing the private sector to develop facilities and being located on an alternate site. The review undertaken identifies significant reasons against these alternate options. A review and assessment of performance (using the Draft Business Case assessment) and benefits indicated that: - The operating loss (from year 1) of the facility is estimated at $291,285, with depreciation accounting for an additional $740,000 also in year 1. This has been accounted for within Council's Long Term Financial Plan. - As a result of the $33.7M investment into the proposed facility (and the adjacent adventure playground), a further $17M will be injected into the local Mount Barker District Council economy, with a further $10M added to the wider Australian economy. - With regards to employment, a total of 103 jobs will be created within the local economy. A total of 191 will be created when considering the combined effect of direct, industrial and consumption jobs. - More broadly and in addition to the economic and employment returns from the Aquatic and Leisure Centre, Council is setting down a path to realising a vision to create Australia's leading master planned recreation, leisure and entertainment precinct. A master-planned precinct incorporating the above has the potential to generate over $150M of direct capital investment, 600 FTE's during construction, 150 FTE's ongoing and over $50M annual turnover. - The communities of Mount Barker District and the broader region will benefit from the opportunities arising from the creation of this community facility. Users will include organised club swimming and indoor sports activities, learn to swim, recreation and water play, rehabilitation warm water exercise options, school swimming carnivals and localised programs and activities that promote regular exercise. By accommodating this broad range of user groups, the facility will provide direct and indirect health and well-being benefits to the community, particularly preventive health. The key recommendations from the Cost Benefit Analysis are: - Decommission the existing outdoor swimming facility (Cameron Road) and construct a new indoor aquatic centre. - Scope of the new facility to reflect demonstrated need. - Scope to reflect optimal mix to ensure minimised financial subsidy. - Local employment through construction and during operation.

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Date and Item	Overview
	- Catalyse recreational spend to promote private investment, increased employment and economic growth. - A continued partnership approach with all tiers of government and industry.
2021 - 6th April Council Meeting (Funding and Project Update)	It was noted that: 1. On the 22nd of March, the State Government announced a contribution to the Regional Aquatic and Leisure Centre of $7.3M through the Local Government Infrastructure Partnership Program. (Note: This represents the highest contribution to any Council project out of this fund - 58 Councils were successful through this grant round). 2. External funding of the project now totals $22.3M, with the State's contribution complementing the Federal Government's commitment of $15M. 3. Council will now commence the next phase of the project, progressing into further design review/development and revision of the Business Case based on confirmation of the amount of external funding secured. 4. Engagement with facility operators commenced to assess Council's preferred governance and management model. 5. Further engagement with Council will occur regarding the project's progression through this next phase as the projects critical path is further developed. The final scope of Stage 1 of the project will ultimately be determined once the updated Business Case, design costings, prudential report and confirmed construction costs are known. Nevertheless, the Stage 1 scope is subject to the successful grant application to the State Government, which includes: a. A 10 lane 25m competition capable lap pool. b. An integrated learn to swim, leisure and children's pool. c. Warm water therapy pool. d. Fitness centre. e. Creche. f. Meeting rooms. g. Kiosk/café. h. Change room/toilets/amenities. i. New access road and car parking. j. Related infrastructure and civil works. Subsequent stages of the facility may also include: a. Indoor sports courts. b. Outdoor 50m event and leisure pool. c. Expanded aquatic leisure (i.e. water slides, splash park). The critical next steps are identified as: 1. Given the securing of the required external funds, the project will now progress through the next phase of more detailed feasibility and design development. 2. Having recently completed the construction of the Summit Sport and Recreation Park, Council Staff will review the experiences, take learnings from and implement opportunities for improvement for this significant community infrastructure project. 3. The Business Case will now be revised based on several key updates post its 2019 drafting, including feedback from community consultation, confirmation of external funding, revised construction estimates and other relevant inputs relating to demand/usage modelling. 4. Review of the Detailed Concept Design and scope will occur in parallel, ensuring Council is well positioned and the community well informed as to the project scope set to be delivered.

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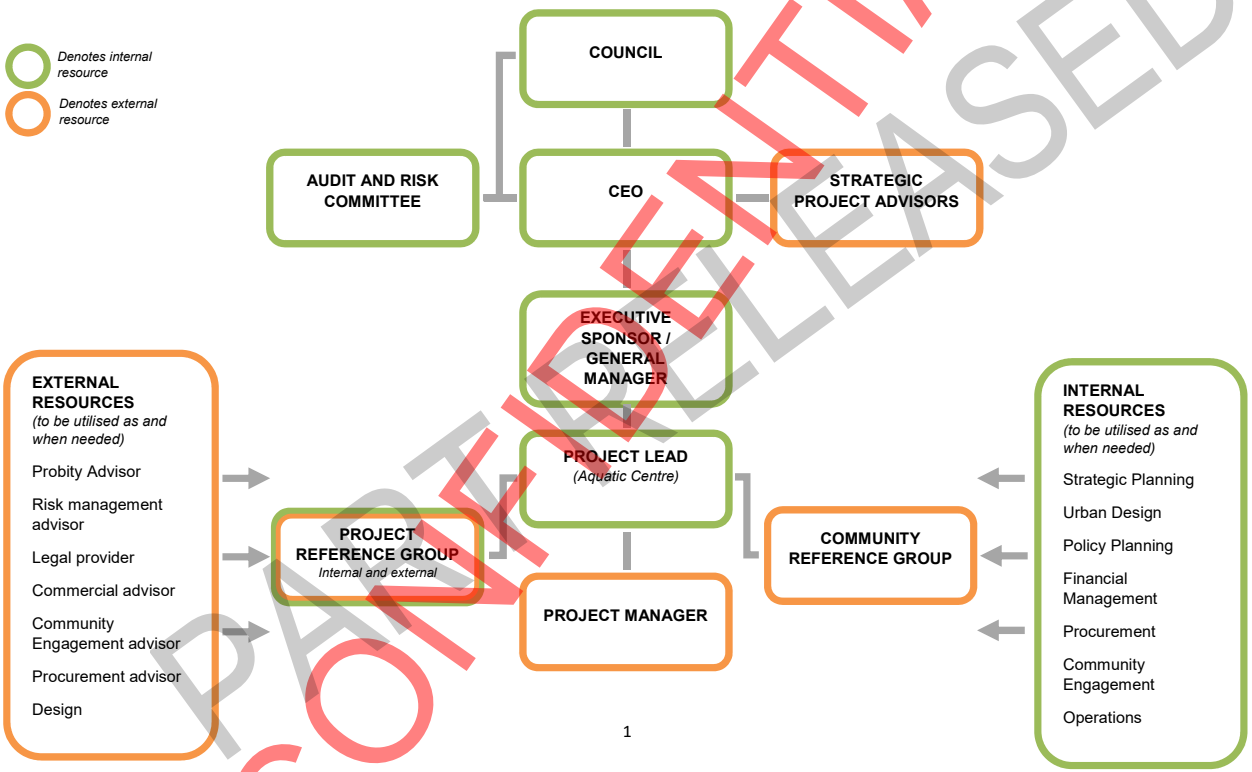
Date and Item	Overview
	5. Engagement with facility operators will now commence to assess Council's preferred governance and management model.
2021 - May Hydrotherapy Pool Preliminary Commercial Viability Report (Updated)	As background to this report, previous feedback from community engagement conducted by Council identified a strong positive response in support of hydrotherapy and rehabilitation facilities as part of Stage 1 of the Regional Aquatic and Leisure Centre. This further confirmed a predicted strong latent demand for the facilities in the primary catchment of the aquatic and leisure centre. The key findings from this research indicated that: - There is a confirmed shortage of supply of suitable hydrotherapy pools within the primary catchment (30 minute drive) of the Mount Barker District Council area, and more broadly across a secondary catchment area (metro and surrounding regional area within an hour drive of Mount Barker). - A dedicated hydrotherapy pool is considered a more superior community service outcome than provisioning for a larger program pool with ramp / hoist access. This is due to high conflicts between user groups and reduced capacity of the facility for hydrotherapy services (which would be placed as a second priority to learn to swim under this design outcome). - Dedicated hydrotherapy facilities can meet the demand for users for warm water facilities, but the reverse is less so, indicating that the provision of dedicated hydrotherapy facilities will maximise user demand. - At a high level, a well-designed hydrotherapy pool that maximises demand, and in the context of Mount Barker's strong catchment demand drivers and opportunities to meet the market gap in supply, a dedicated facility has the potential to operate on a commercially viable basis for covering operating costs and providing some surplus. - The ultimate design of the facility may influence the hours of operation that the hydrotherapy pool operates. Some pools have benefitted from separating the hydrotherapy pool from the main pools to improve exclusive private hire appeal. However, while sharing reception staff, this design arrangement may require additional lifeguard staff when in operation. This should be a key consideration in the design process. Consultant's note: the report is unclear about the design of a hydrotherapy pool and whether the intention is for it to meet Australian hydrotherapy pool standards for 'clinical' hydrotherapy purposes. The report is also unclear on the staff supervision requirements and meeting the Safe Pool Operation Guidelines and hence the associated financial performance implications. These items require further investigation as part of the next phase of design.
2021 Project Plan	An indicative project plan has been developed incorporating key milestones. A summary of these is: detailed design commencing in July 2021 with completion in February 2022 and construction from February 2022 with full project competition including commissioning in January 2024.

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Attachment 5 to Item 18.2

AQUATIC AND LEISURE CENTRE PROJECT GOVERNANCE



1

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Attachment 6 to Item 18.2

Mt Barker District Council
Aquatic Centre
Risk Management Activities
Report 1 27 July 2021

Context

As part of the development of a Regional Hub Precinct, the Mt Barker District Council ('Council') intends undertaking a capital project (the Project) to an Aquatic Centre (the Centre). Council has received an indication of financial support form both Federal and State governments in the amount of approximately $22.3 million. The intended budget for the Project is in the order of $30 million, noting that the design is still at an early concept phase and Council will shortly be reviewing and confirming both the concept design and robustness of initial budget for the Project.

Risk management activities conducted

Council engaged the services of a risk practitioner to facilitate an initial risk assessment process for the Project. The initial focus of risk management activities, rather than focussing on what might go wrong with the project, focused on what needs to go right to ensure the success of the project. Developing these key success factors ensures that risk activities consider both positive opportunities that need to be secured during the project as well as the threats that might prevent the project from achieving success.

Risk management activities have been conducted in alignment with ISO 31000: Risk Management Guidelines.

The following activities have been undertaken:

- **Identification of what must go right on the project.**
  The outcome of this exercise has resulted in the development of Project Objectives and areas of focus including the following:
  - **Operator Model**
    The development of an appropriate operating model for the Centre that ensures a welcoming and financially sustainable long term operating outcome.
  - **Project Budget**
    Ensuring the project budget for sufficient, robustly built up and that the project is delivered within budget.
  - **Funding**
    Ensuring that the Council meets all requirements of the State and Federal funding arrangements so that Council maximises funding from these sources
  - **Project Resourcing**
    Ensuring the right people are involved in the project.
  - **Community Engagement**
    Ensuring the community of Mt Barker is appropriately engaged on the Project, that they feel heard and can see evidence of their input in the final project outcome, or understand and accept why their input has not been included.

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- **Risk identification**
  - This was initially conducted with the Project Lead and Project Manager.
  - Input from the Executive team was obtained through a risk workshop.

- **Risk assessment and ranking**
  - Assessment and ranking of risks were facilitated using Council's risk management consequence and likelihood criteria.
  - Ranking of risks commenced with the Executive team and continued with the Project Lead.
  - The outcome of the ranking of key risks has been endorsed by Council Executive.
  - A 'Top 5' list of ley risks has been prepared for presentation in this report to Council.

Top 5 Risk Dashboard

The below represents the Top 5 risk to the Project and their associated action plans at 28 July 2021.

Mt Barker District Council
Aquatic Centre – 'Top 5' risks at 28 July 2021

#	Risk Short Name	Risk Description	Residual Risk	Critical Treatment Plans	Due Date	Implementation Status
1	Operator model	Operator model is inappropriate for long term success of Centre	Very High	1. Clearly articulate the opportunities and risks of various operator models (including in-house vs outsource, etc.) 2. Engage Legal and Probity advice for procurement of Operators (pending operator model approval)	2-Aug 31-Aug	On Track
2	Project Budget	Project budget is insuffienct to deliver project	Very High	1. Conduct due diligence of project including Geotech, environmental studies, cost validation, etc 2. Update Cost Estimate of QS	30-Sept 30-Nov	On Track
3	Funding milestones	Milestones to obtain State and Federal funding per funding deeds not achieved	Very High	1. Obtain Council approval of scope and timeframes to be included in funding deeds 2. Engage with Federal government about timing included in intial deeds to amend timing requirements	2-Aug 31-Aug	On Track
4	Project Resourcing	Project is improperly resourced (internal and external)	High	1. Assess project resourcing needs and budget impact of additional resourcing. 2. Submit proposal for additional project resourcing	31-Aug 31-Aug	On Track
5	Community Engagement	Community becomes concerned or outraged by the Project	High	1. Obtain Council input to and approval of Draft ToR for Community Reference Group 2. Establish Community Reference Group and commence meetings	2-Aug 31-Oct	On Track

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Mt Barker District Council
Aquatic Centre – Risk Heatmap at 28 July 2021



Future Risk Management Activities

The full risk register, from which the Top 5 have been extracted, forms the basis of future risk management activities to ensure risks are identified, assessed and treated. The risk register is a live document that will be maintained on an ongoing basis through the Project. Council Members and Council's Audit and Risk Committee will be kept updated on key risks on at least a quarterly basis.

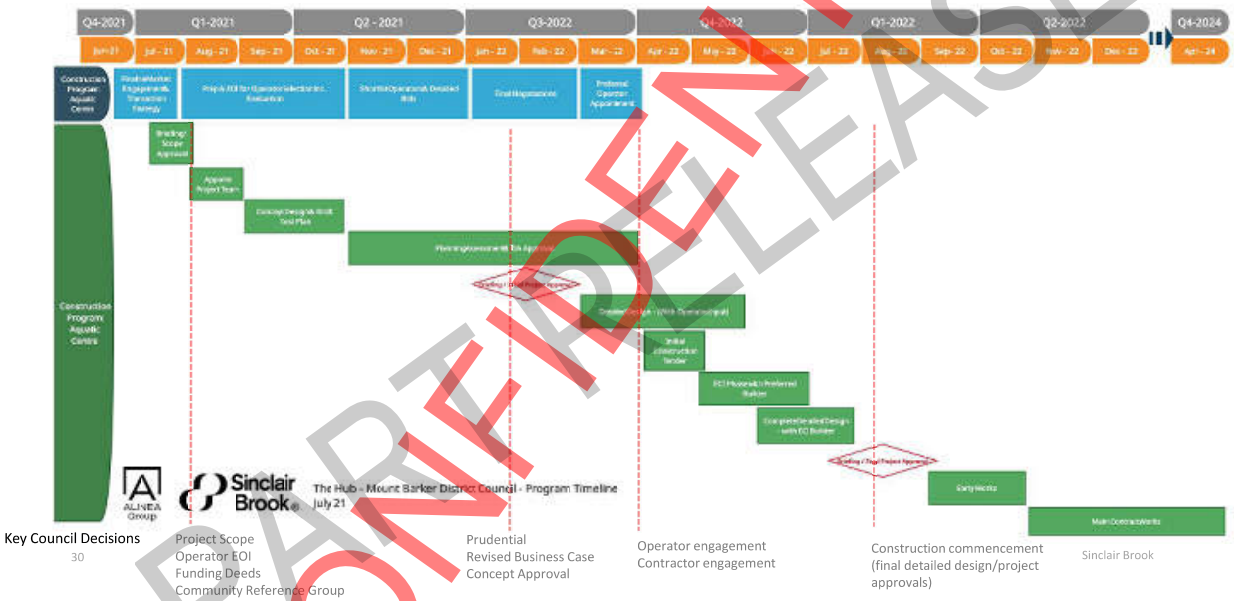
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Attachment 8 to Item 18.2

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Mount Barker Regional Aquatic Centre_Target Timeline



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18.2.	**REPORT TITLE:**	**CONFIDENTIAL REPORT: AQUATIC AND LEISURE CENTRE**
	DATE OF MEETING:	**2 AUGUST 2021**
	FILE NUMBER:	**DOC/21/120996**
	ATTACHMENTS:	**1.DOC/21/121154 - AQUATIC CENTRE PROJECT SCOPE** **2.DOC/21/121162 - TERMS OF REFERENCE – COMMUNITY REFERENCE GROUP** **3.DOC/21/12116 - EOI GUIDING PRINCIPLES** **4.DOC/21/121155 - PROJECT – CHRONOLOGY**

5.DOC/21/121152 - PROJECT GOVERNANCE FRAMEWORK
6.DOC/21/121160 - RISK MANAGEMENT ASSESSMENT
7.DOC/21/121446 - PROJECT REVIEW- WARREN GREEN CONSULTING
8.DOC/21/121158 - TARGET PROJECT TIMELINE

Moved Councillor Jones that Council:

Pursuant to Section 90(3)(b)

1. Pursuant to Section 90(2) of the Local Government Act the Council orders that all members of the public except Chief Executive Officer, Deputy Chief Executive Officer, General Manager Community Services, General Manager Infrastructure, General Manager Planning & Development, Chief Financial Officer, Manager Strategic Projects and Economic Development, Manager City Development, Risk and Governance Officer, Project Administration Officer, Minute Secretary and in attendance via Zoom, Ben Koop (Alinea Group), Warren Green (Warren Green Consulting) and Sean Keenihan (Norman Waterhouse Lawyers) be excluded from attendance at the meeting for Agenda Item 18.2 Aquatic and Leisure Centre.

   The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business and would prejudice the commercial position of the Council.

   In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

Seconded Councillor Morrison CARRIED
OM20210802.18

Moved Councillor Morrison that Council:

PART RELEASED

1. endorse the Project Scope for the Project, as contained in Attachment 1 to this report.

8.28pm Councillor Morrison rose and left the meeting

Seconded Councillor Westwood CARRIED
OM20210802.19

Moved Councillor Jones that Council:

2. endorse the establishment of the Community Reference Group as outlined in this report and consistent with the Terms of Reference in Attachment 2.

8.32pm Councillor Morrison entered the meeting and took his chair

Seconded Councillor Bailey CARRIED
OM20210802.20

Councillor Jones called for a DIVISION

The Mayor declared the vote set aside

Council Members voting for the motion: Councillors Morrison, Seager, Bailey, Orr, Westwood, Leach

Council members voting against the motion: Councillors Jones, Hardingham, Grosser, Minett

The Mayor declared the motion OM20210802.20 CARRIED

Moved Councillor Seager that Council:

3. endorse the process to seek expressions of interest, (as outlined within this report and Attachment 3) from suitably qualified groups in relation to the operation of the proposed aquatic and leisure centre and investment into and potential operation of complimentary uses within the broader Regional Hub Precinct; and

Seconded Councillor Morrison CARRIED
OM20210802.21

PART RELEASED

Moved Councillor Morrison that Council:

4. note that the CEO will commence the aforementioned EOI process, with responses to be presented back to Council to inform decision making on the preferred model and potential operating partner.

Seconded Councillor Seager — CARRIED
OM20210802.22

Moved Councillor Seager that Council:

5. authorises the Chief Executive Officer to:
   a. finalise the terms and conditions of the State and Commonwealth Funding Deeds for the Project (the Funding Deeds) consistent with the Project Scope and do such things required to comply with the terms of those funding deeds in carrying out the Project, which may include variations as/if required to align acquittal returns; and
   b. enter into such contracts (excluding aquatic/precinct operators), secure such authorisations and approvals and do other such things required to implement the Project in accordance with the Project Scope, the terms of any relevant authorisations and approvals, the Funding Deeds and as otherwise contemplated by this report.

Seconded Councillor Morrison — CARRIED
OM20210802.23

Moved Councillor Minett that Council:

6. authorises the Chief Executive Officer to sign and as necessary affix the council common seal in conjunction with the Mayor for all legal documentation necessary to give effect to the above matters.

Seconded Councillor Bailey — CARRIED
OM20210802.24

Moved Councillor Westwood that Council:

7. note that the Prudential Report for the Project will be tabled with Council for its consideration prior to Council entering into formal contracts for construction.

Seconded Councillor Hardingham — CARRIED
OM20210802.25

PART RELEASED

Moved Councillor Grosser that Council:

8. note that communication with the community will occur in order to provide transparency of the decision making of Council and direction and timeline of the project.

Seconded Councillor Bailey CARRIED
OM20210802.26

Moved Councillor Morrison that Council:

Section 91(7) Order

9. Pursuant to Section 90 (3) (b) & (d)
That having considered Agenda Item 18.2 Aquatic and Leisure Centre in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence 2 August 2031 or such lesser period as may be determined by the Chief Executive Officer, and that this order be reviewed every 12 months.

Seconded Councillor Seager CARRIED
OM20210802.27

The zoom connection ceased.

PART RELEASED